CITY COUNCIL, CITY OF LODI CITY HALL COUNCIL CHAMBERS May 21, 1975

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, May 21, 1975 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - EHRHARDT, KATNICH,

PINKERTON AND SCHAFFER (Mayor)

Absent: Councilmen - HUGHES

Also Present: City Manager Glaves, Assistant City Manager Glenn, Assistant City Attorney Sullivan, Planning Director

Schroeder and Public Works Director Ronsko

INVOCATION

The invocation was given by Rev. Robert Volkert, Pastor of

the Zion Reformed Church.

PLEDGE

Mayor Schaffer led the Pledge of Allegiance to the flag.

MINUTES

Councilman Pinkerton moved the minutes of May 7, 1975 be approved as written and mailed. The motion was seconded

by Councilman Ehrhardt and carried.

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of May 12, 1975:

REZONE R-HD TO C-2 1. Recommended the approval of the rezoning request of John Ferraiolo to rezone a parcel located at 543 E. Pine Street, Lot 10, Marchand Addition, from the R-HD, Residential High Density-Multiple Family District, to the C-2, General Commercial District.

On motion of Councilman Ehrhardt, Pinkerton second, the matter was set for Public Hearing on June 4, 1975.

REZONE
IN P-D (10)
TO SINGLE
FAMILY LOTS

2. Recommend the approval of a rezoning request by Aladdin Real Estate to reclassify Lots 9, 10, 11, 12, 15, 16, 17, 18, 19, and 20 in P-D (10) Planned Development District No. 10 from duplex to single family lots.

On motion of Councilman Ehrhardt, Pinkerton second, the matter was set for Public Hearing on June 4, 1975.

ACTIONS OF INTEREST

The Planning Commission also took the following actions of interest to the City Council:

1. Took action opposing a postal order by the U.S. Post Office requiring all new mailboxes in new subdivisions to be located at the curbline and capable of being served by a mail carrier without dismounting from his vehicle. (Previous postal order required new boxes to be located to the rear of

the sidewalk, rather than at the dwelling.) In opposing the order, the Commission directed that letters be sent to the National League of Cities, the California League of Cities, Congressman John McFall, and others, requesting strong and direct action at the national level overturning the order.

Council discussion followed regarding the postal order, with the City Attorney being directed to check into the City's liability for injuries resulting from this type of mailbox installation.

CURBLINE
MAILBOX
INSTALLATION
MANDATED BY
POST OFFICE

On motion of Councilman Ehrhardt, Pinkerton second, Council directed Staff to prepare a letter to the United States Post Office indicating Council's strong opposition to the postal order by the U.S. Post Office requiring all new mailboxes in new subdivisions to be located at the curbline and capable of being served by a mail carrier without dismounting from the mail carrier's vehicle.

- 2. Continued a review of off street parking requirements in industrial zones.
- 3. Recommended denial of a use permit request (County Referral) by Kingdom Hall for a church on the west side of North Kennison Lane from 1800' to 1950' north of State Route 12, east of Lodi in an 1-PA Interim-Profective Agriculture zone.

MAYOR
PRO TEM
OF AVALON
INTRODUCED

Mayor Pro Tem George C. Scott of Avalon, California, who was in the audience was introduced and welcomed.

COMMUNICATIONS

APPLICATION FOR LEAVE TO PRESENT LATE CLAIM ACCEPTED The City Clerk presented an Application for Leave to Present Late Claim filed on behalf of Rodney Quinones, a minor. On motion of Councilman Katnich, Ehrhardt second, the Application for Leave to Present Late Claim filed on behalf of Rodney Quinones, a minor, was accepted by Council.

CLAIM

The City Clerk also presented a Claim for personal injuries filed on behalf of Rodney Quinones, a minor, in the amount of \$357,512.55. Councilman Katnich moved that the Claim be rejected and referred to the City's Agent of Record. The motion was seconded by Councilman Pinkerton and carried.

APPLICATIONS BEFORE P.U.C. The following notices of application before the California Public Utilities Commission have been received and were presented to the Council.

a. Pacific Gas and Electric Company Application No. 55687 requesting authorization to revise its gas service tariff to offset the effect of anticipated increases in the price of

gas from Pacific Gas Transmission Company.

- b. Order instituting investigation on the Commission's own motion regarding the investment credit provisions of the 1975 Tax Reduction Act No. C-9915.
- c. Application of Tokay Water Company, Inc. for a Certificate of Public Convenience to operate a public utility water system in the unincorporated town of Woodbridge, San Joaquin County, to establish rates for service, and for an order authorizing the issuance of capital stock Application No. 55566.

AD HOC
COMMITTEE
REQUEST
TO STUDY
REGULATIONS
RE.
RECREATIONAL
VEHICLES

A letter was presented to the Council, which had been received from the Lodi Bunch, Good Sam Chapter, regarding the adopting of zoning ordinances regulating parking, stopping, storing and use of all recreational vehicles within the City limits, asking that the City Council appoint ten people to an Ad Hoc Committee, five to be members of the Good Sam Chapter, the Lodi Bunch, and five to be local business men and civic leaders. The letter states that this committee should be authorized to meet jointly with the City Planners to review practices and regulations concerning this matter in other communities.

Mayor Schaffer deferred action on this request for further discussion and review.

Councilman Pinkerton presented an article entitled, "An EPA Rebuttal on Smog", which had appeared in a recent edition of the Stockton Record. The article in part stated that "citing" adverse effect on the health of the citizens of California", federal officials say thaey will attempt to force state authorities to implement air pollution emergency procedures. Paul De Falco, Regional Environmental Protection Agency Administrator, asserted in a recent statement that State officials had abdicated "their responsibility for dealing with emergency air pollution episodes." The article reflected that the EPA has clout, because under the Clean Air Act, it can implement an emergency plan for a state that fails to act on its own or adopts a plan not acceptable to the federal agency. Councilman Pinkerton suggested that a strong letter of concern be directed to Congressman McFall, Council discussion followed. The matter was deferred by Mayor Schaffer for further consideration and discussion by the Council, prior to any action taken by the Council.

EPA
ASSER TIONS
DISCUSSED

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisk, on motion of Councilman Pinkerton, Ehrhardt second, were approved by Council.

CLAIMS

CONSENT

CALENDAR

CLAIMS WERE APPROVED IN THE AMOUNT OF \$389,454.81.

VINEYARD DRIVE & ASPEN GROVE DRIVE STORM DRAIN ACCEPTED City Manager Glaves' report to the Council recommended that Council accept the improvements in "Vineyard Drive Storm Drain, Meadow Drive to Aspen Grove Drive, Aspen Grove Drive Storm Drain, Vineyard Drive to 100 feet N/o Audobon Drive." The report indicated that the contract was awarded to Fisher Bros., Inc. of Rio Vista on March 5, 1975 in the amount of \$15,481.00 and that the contract had been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "VINEYARD DRIVE STORM DRAIN, MEADOW DRIVE TO ASPEN GROVE DRIVE, ASPEN GROVE DRIVE STORM DRAIN, VINEYARD DRIVE TO 100 FEET N/O AUDOBON DRIVE" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

REPORTS
OF THE
CITY MANAGER
PUBLIC HEARING
SET FOR PROPOSED
GENERAL PLAN
AMENDMENT

Following introduction of the matter by City Manager Glaves, on motion of Councilman Katnich, Ehrhardt second, Council set for Public Hearing on June 4, 1975 the Planning Commission's recommendation for approval of General Plan Amendment 75-2 which revises the industrial portion of the City's General Plan Land Use Element, and which proposed amendment includes the following major items:

- 1. That approximately 25 acres presently designated industrial in our downtown area and bounded by the Southern Pacific Railroad, Lockeford Street, Lodi Avenue and a north-south line half a block east of Sacramento Street be redesignated General Commercial.
- 2. That our existing single "INDUSTRIAL" General Plan classification be replaced with three new Industrial General Plan classifications, namely, "LIGHT, MEDIUM, AND HEAVY INDUSTRIAL" classifications as shown on a proposed revision to the Land Use Map.
- 3. That approximately 345 acres of residentially-classified land now shown on our General Plan east of U.S. 99-50 be revised to various Industrial General Plan classifications.
- 4. That a proposed phasing plan be adopted whereby undeveloped areas will be phased to permit development to coincide with the future demand for industrial land and the adequate availability of all public utilities and services. Later phased areas will develop after an earlier and adjacent phased area has been at least 80% developed for urban purposes. Areas included in phases 0 through 4 are classified LIGHT, MEDIUM or HEAVY Industry. Phase 5 is recommended to be designated as future Industrial, a holding phase which reserves land for industrial purposes to be classified after 50% of phase 3 areas are developed.
- 5. The Commission also proposes, as part of the amendment,

an updated Street and Rail Line Master Plan for phases I through 4 east of U.S. 99-50.

Architect Arlie Preszler addressed the Council regarding the plans and specifications for security alterations in the Public Safety Building Stating that the proposed work would consist of seven items:

- constructing of a glass partition in the main lobby for security reasons;
- 2. replacing the glass in the sliding windows on the south side of the building with Lexan plastic sheeting for security reasons;
- 3. addition of a new doorway across the hall corridor;
- 4. construction of a cabinet and key board;
- 5. relocation of gun locker;
- 6. removal of "line up" screen wall in squad briefing room;
- 7. modifications of exhaust air system in pistol range;

A cost estimate for this project was detailed for the Council by Mr. Preszler.

Questions regarding the project were directed to Mr. Preszler by the Council.

Councilman Katnich moved that the Council approve the plans and specifications for the proposed security alterations in the Public Safety Building, and authorize the City Clerk to advertise for bids thereon. The motion was seconded by Councilman Ehrhardt and carried.

Mayor Schaffer proclaimed the week of May 25 - 31, 1975 to be "School Safety Patrol Week", presenting the proclamation to Police Officer Rex Hegwer. Officer Hegwer was commended by the Council for his fine work in the School Safety Patrol Program.

Mr. Dario DeBenedetti of the Sanitary City Disposal Co., Inc. addressed the Council requesting a rate increase for residential and commercial refuse collection services within the City of Lodi. Mr. DeBenedetti stated that the company after considering all expenditures, is losing operating capital, profits and investment income, and cited a \$12,983.00 loss in 1973 in residential service; and in 1974, a residential service loss of \$60,802.00. Mr. DeBenedetti stated that the present rate of return, based on a five year average, does not allow for the current sharp increase in inflation and the decline in the buying power of the dollar.

The following rate increase requests were made by Mr. DeBenedetti:

- a. Increase the rate of return, allowing interest expense and the ranch land, excluding trees, vines and building;
- b. Allow a built-in inflation factor to help stabilize the

PLANS AND SPECS FOR SECURITY ALTERATIONS FOR PUBLIC SAFETY BUILDING APPRVD.

11-14 21

PROCLAMATION

rates charged and to help hedge against inflation;

- c. Eliminate the five year average, as it is not representative of the present economy and therefore impractical.
- d. Requested that the rate for the first can be increased \$1.05 per month and that each additional can be increased \$.40 per month.
- e. Requested that a 12.6% over-all increase be allowed on commercial rates and that commercial customers using specific types of service be brought to the existing slated rates for those services.

RATE INCREASE REQUESTED BY SANITARY CITY DISPOSAL CO., INC. Mr. DeBenedetti apprised the Council that the last residential rate increase in Lodi was in 1964, adding that during this time the Company has maintained a high level of service while providing backyard collection, which is the most expensive type. The Sanitary City Disposal Company, Inc, as a part of their collection service, includes grass and other yard wastes, which in many other cities is collected by the City as part of the weekly street clean-up service.

Mr. Ivern (Biff) Baffoni, 540 Kensington Way, Lodi spoke on behalf of the requested increase and applauding Sanitary City Disposal Co., Inc. for its fine service.

A lengthy discussion followed with questions being directed to Mr. DeBenedetti by the Council. Council indicated that additional time would be needed for further study and review of the presentation and documentation for the requested increase which had been furnished the Council by the Sanitary City Disposal Co., Inc.

On motion of Councilman Katnich, Ehrhardt second, the request for a rate increase by the Sanitary City Disposal Co., Inc. was deferred to the regular Council meeting of June 4, 1975.

Council was advised that a request had been received from Mr. John S. Bowen and Mr. Henry J. Yamada for the abandonment of alleys located between Lots 1 and 12 and between Lots 1, 2, and 3 and Lot 4 of Block 3 of the Sturla School Addition. The two alleys are 20 feet wide and approximately 150 feet long.

McDonald, Inc. is planning a drive-in restaurant at the southwest corner of Lodi Avenue and Church Street. As part of this development, McDonald, Inc. will be using the lot to the west (presently the House of Stewart) and the parking lot immediately south of the old Sell-Rite Market. The alleys will be maintained as public utility easements to cover existing and future utilities and will remain free of buildings as part of the parking area for McDonald's.

ABANDONMENT OF ALLEYS

Following discussion by Council, on motion of Councilman

Katnich, Ehrhardt second, the matter was set for Public Hearing on June 18, 1975 and was also referred to the Planning Commission MOO LIZE VITO

RES. NO. 4065 INTENTION TO:

On motion of Councilman Ehrhardt, Katnich second, Council DECLARING adopted Resolution No. 4035 declaring its intention to abandon the north one-half of the north south alley and the ABANDON

east one-half of the east/west alley in the block pounded by ADOPTED SHOULD AND ADOPTED HOLD AND ADOPTED HOLD AVENUE, Church Street, Chestnut Street, and Pleasant Avenue.

STATE LEGISLATION ON CITIES

Councilman Ehrhardt alerted those Councilmen who were unable to attend the recent Mayors and City Councilmen Legislative Conference held in Sacramento that there was LEGISLATION

Legislative Conterence neight packaments that their markets of PLACING Circulation of thought at that gathering to the filing of a FINANCIAL COLUMN TO PROTECT TO THE PROTECT OF THE PROTECT VICITIES have to plan funding for future legislation of that kind.

ADJOURNMENT

There being no further business, the meeting was adjourned by Mayor Schaffer at 10:15 p.m. on motion of Councilman again of the condition of Councilman again of the condition of Councilman again of the condition of the

Councillanan Pinkerton marked the minutes of May 21, 1975 be approved as written and mailed. The motion was seconded by Councilman Kathich and carried.

> 499 DISCUSSION

37400004

Mayor Schaffer directed that the matter of the Environmental Protection Agency and its implementation of the Niegn Air AFt, which was discussed at the May 21, 1975 Thomps of Shirt Heart Heart deferred, be set for Shirtnioiss Cisto Clerking mont

PUBLISH SEARINGS

C.L. Santa

On Thirding

Land tolk of tolk of

heriter thereof naving been published in accordance with Arm off in all tan good nothing to fire in the man of the fifty others, Meyor Salessee collection is general Manufacture and the recommendation of the control of the state of the control of is a partie galactic of all he leveled a set control of a 5 . Hole to be been a paregraph on every median . 7 - 17 - 1 Ladi, Lat 10. Marchand Adams. Control 1991 dontes 19gh Density - Maligne France Digge on or and the ton amount the constitution

foundation of the second of th . 217 and o thread the recommendables.

The second state of the second second second Service of School Leading the confidence of the second to the contract of Charles and pricing in the book of the extension of

indicate the control of the control Jordan Court